

Message Text

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12

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03

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R 050720Z AUG 75

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 245

INFO AMEMBASSY ATHENS

AMEMBASSY NICOSIA

AMCONSUL ADANA

AMCONSUL ISTANBUL

AMCONSUL IZMIR

EUCOM

CINCUSAFE

USMISSION USNATO

USMISSION USUN

LIMITED OFFICIAL USE ANKARA 6045

E.O. 11652: N/A

TAGS: PINS, TU

SUBJ: MARTIAL LAW EXPIRES

1. MARTIAL LAW, IN EFFECT SINCE JULY 1974 IN ANKARA, ISTANBUL, ADANA AND ICEL PROVINCES, EXPIRED ON AUGUST 4. IN RECENT MONTHS IT HAD BECOME INCREASINGLY CERTAIN THAT MARTIAL LAW WOULD NOT BE EXTENDED, AS FIRST THE OPPOSITION PARTIES AND, FINALLY LAST MONTH, THE NATIONAL SALVATION PARTY, ONE OF THE GOVERNMENT COALITION PARTIES, DECLARED OPPOSITION TO FURTHER EXTENSIONS.

2. ALTHOUGH MARTIAL LAW WAS INITIALLY IMPOSED IN CONNECTION WITH THE CYPRUS INTERVENTION, JUSTIFICATION FOR SUBSEQUENT MONTHLY EXTENSIONS CAME TO STRESS MORE AND MORE THE NEED TO CONTROL DOMESTIC UNREST UNRELATED TO CYPRUS. HOWEVER, MARTIAL LAW POWERS WERE NOT RPT NOT EXTENSIVELY USED. UNDER THE IRMAK
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AND DEMIREL GOVERNMENTS, MARTIAL LAW AUTHORITIES MADE

SOMEWHAT GREATER USE OF THEIR POWERS THAN DURING THE ECEVIT GOVERNMENT; FOR EXAMPLE, MARTIAL LAW WAS USED TO SUSPEND THE ACTIVITIES OF SMALL RADICAL STUDENT ORGANIZATIONS, OCCASIONALLY TO PREVENT RALLIES AND DEMONSTRATIONS, TO DEAL WITH STUDENT VIOLENCE, TO PROHIBIT STRIKES OR LOCKOUTS AND, ON ONE OCCASION, TO SHUT DOWN A PLAY ON GROUNDS IT ADVOCATED COMMUNIST IDEAS.

3. EVEN WITHOUT MARTIAL LAW, THE GOVERNMENT WILL HAVE STRONG POWERS TO DEAL WITH CIVIL DISTURBANCES. THE UNIVERSITIES LAW OF 1973 AUTHORIZES POLICE INTERVENTION ON CAMPUS WITH OR WITHOUT THE INVITATION OF THE UNIVERSITY ADMINISTRATION, AND THE ASSOCIATION LAW RESTRICTS THE NUMBER OF STUDENT ORGANIZATIONS ON CAMPUSES. OTHER LEGAL PROVISIONS GIVE CIVILIAN AUTHORITIES A DEGREE OF CONTROL OVER DEMONSTRATIONS AND RALLIES ALTHOUGH, WITHOUT MARTIAL LAW, THEY CANNOT PROHIBIT OR SUSPEND THEM. ALSO, THE MARTIAL LAW COURTS WILL TRY THE REMAINING CASES ON THEIR DOCKETS BEFORE THEY CEASE TO FUNCTION, AND, THE STATE SECURITY COURT SYSTEM, WITH A MANDATE TO TRY "CRIMES COMMITTED AGAINST THE FREE DEMOCRATIC SYSTEM AND AGAINST THE REPUBLIC...", WILL CONTINUE OPERATION.

4. A PRINCIPAL EFFECT ON THE END OF MARTIAL LAW MAY BE PSYCHOLOGICAL, IN THAT IT REMOVES A THREAT--HOWEVER REMOTE--OF ARBITRARY SEARCH AND SEIZURE OF TRIAL BY SPECIAL TRIBUNALS. THIS EFFECT NO DOUBT WILL BE SIGNIFICANT AS TURKEY MOVES INTO A CAMPAIGN PERIOD CULMINATING IN PARTIAL SENATE ELECTIONS ON OCTOBER 12.
MACOMBER

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